



D  
1:  
2:  
N  
w

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 8/17/2020

Tamar Duvdevani  
Tamar.Duvdevani@dlapiper.com  
T 212.335.4799  
F 917.778.8799

August 14, 2020  
VIA ECF

Hon. Alanisa Torres  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007-1312

Re: **Giordano, et. al v. NIKE, Inc., et. al, Case No. 1:20-cv-04975**

Dear Judge Torres:

As counsel for Defendants NIKE, Inc., NIKE USA, Inc. (collectively, "NIKE") and Mike Pokutlyowicz in the above-referenced matter, I respectfully submit this letter pursuant to Your Honor's Individual Practice Rule I.C. to request: (i) an extension of time for NIKE to answer or otherwise move in response to the complaint, and (ii) an adjournment of the scheduled Initial Pre-Trial Conference ("IPTC") and the deadline for filing letters in advance of the same. Counsel for Plaintiffs consent to these requests and join in this letter motion. A Stipulation and Proposed Order is attached.

On July 14, 2020, Plaintiffs filed a Waiver of Service Returned Executed with respect to Defendant Pokutlyowicz. (Dkt. 18). Given the timing of Plaintiffs sending this waiver form, Defendant Pokutlyowicz's answer or motion response to the complaint is due September 11, 2020. (See *id.*) On August 11, 2020, Plaintiffs filed proof of service reflecting service upon NIKE, through the New York Secretary of State, on August 3, 2020. (Dkt. 21.) Counsel for Plaintiffs have agreed to an extension of time for NIKE to respond to the complaint. This extension will align the response deadline for Defendants NIKE and Pokutlyowicz. In view of the August 3, 2020 service date on NIKE, this additional time will also enable counsel to sufficiently evaluate and investigate the allegations of the complaint prior to filing a response. With the Court's approval, the deadline for NIKE to respond will be September 11, 2020.

On July 3, 2020, Your Honor scheduled the IPTC for August 27, 2020. (Dkt. 16.) Your Honor also ordered the parties to submit a joint letter in advance of the IPTC by August 20, 2020. (See *id.*) Given the above-requested extension of time to respond to the complaint, and because I must attend a prior-scheduled mandatory mediation in another matter scheduled for August 27, 2020, the parties believe that good causes exists to extend these two deadlines by approximately 30 days, for a date that is convenient for Your Honor.


This is the first request for an extension or adjournment in this case.

**GRANTED.** By **September 11, 2020**, Defendants shall answer or otherwise respond to the complaint.

The initial pretrial conference scheduled for August 20, 2020 is hereby **ADJOURNED** to **September 21, 2020**, at **11:20 a.m.** The parties shall submit their joint letter and case management plan by **September 14, 2020**.

SO ORDERED.

Dated: August 17, 2020  
New York, New York

  
\_\_\_\_\_  
**ANALISA TORRES**  
United States District Judge